

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2118 - SB 2288

February 16, 2022

SUMMARY OF BILL: Authorizes a court to revoke a defendant's probation and suspension of sentence, in part or in full, for a misdemeanor offense based upon one instance of a technical violation or violations. Authorizes the court to sentence the defendant to a sentence of probation for the remainder of the unexpired term.

FISCAL IMPACT:

Other Fiscal Impact – The proposed legislation may lead to an increase in local government expenditures related to probation violations for misdemeanor offenses; however, the extent and timing of any such increases cannot be quantified with reasonable certainty.

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-35-311(d)(2), the trial judge is prohibited from revoking a defendant's probation based upon one instance of technical violation or violations.
- Passage of the proposed legislation authorizes a trial judge to revoke a defendant's probation based upon one instance of technical violation or violations for a misdemeanor offense.
- The proposed legislation may lead to an increase in local government expenditures resulting from an increase in admissions to local incarceration due to one technical violation of probation for a misdemeanor offense.
- The extent and timing of any such increases are dependent on multiple unknown factors and cannot be determined with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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